

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:03-00193

ANTHONY MICHAEL THORNE

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On September 16, 2020, the United States of America appeared by Nowles Heinrich, Assistant United States Attorney, and the defendant, Anthony Michael Thorne, appeared in person and by his counsel, Timothy J. LaFon, for a hearing on the petition on supervised release submitted by United States Probation Officer Patrick M. Fidler. The defendant commenced a two-year term of supervised release in this action on December 3, 2018, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on September 21, 2017.

The court heard the evidence, the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant violated federal and state law inasmuch as on April 29, 2020, he possessed methamphetamine; (2) the defendant failed to attend two individual substance abuse counseling sessions per month as directed by the probation officer in that he failed to appear for any sessions during the months of September, October, and December 2019, and failed to attend any sessions after February 3, 2020, through the filing of the petition herein; (3) on June 17, 2020, the defendant failed to appear, as directed by the probation officer, at the court's contracted treatment provider to provide a urine drug screen; and (4) the defendant failed to refrain from using or possessing alcoholic beverages in that on April 23, 2020, he admitted to the probation officer that he had recently been consuming Vodka; all as set forth in the petition on supervised release and by the court's findings on the record of the hearing.


And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FOUR (4) MONTHS, with no further term of supervised release imposed.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: September 16, 2020



John T. Copenhaver, Jr.
Senior United States District Judge